

Kenneth A. Gallo (*pro hac vice*)
Joseph J. Simons (*pro hac vice*)
Craig A. Benson (*pro hac vice*)
PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP
2001 K Street, NW
Washington, DC 20006-1047
Telephone: (202) 223-7300
Facsimile: (202) 223-7420
Email: kgallo@paulweiss.com
Email: cbenson@paulweiss.com

Stephen E. Taylor (SBN 058452)
Jonathan A. Patchen (SBN 237346)
TAYLOR & COMPANY LAW OFFICES, LLP
One Ferry Building, Suite 355
San Francisco, California 94111
Telephone: (415) 788-8200
Facsimile: (415) 788-8208
Email: staylor@tcolaw.com
Email: jpatchen@tcolaw.com

*Attorneys for Plaintiffs Sharp Electronics Corporation and
Sharp Electronics Manufacturing Company of America, Inc.*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. 07-cv-05944 (JST)
MDL No. 1917

This Document Relates To:

*Sharp Electronics Corp., et al. v. Hitachi
Ltd., et al.*, Case No. 13-cv-01173 (JST)

*Sears, Roebuck & Co., et al. v. Chunghwa
Picture Tubes, Ltd., et al.*, Case No. 11-cv-
05514 (JST)

**DECLARATION OF KENNETH A.
GALLO IN SUPPORT OF SHARP
ELECTRONICS CORPORATION AND
SHARP ELECTRONICS
MANUFACTURING COMPANY OF
AMERICA, INC.'S RESPONSE TO THE
THOMSON & TDA DEFENDANTS'
MOTION TO CONTINUE AND SET
TRIAL DATES**

Date: June 9, 2016
Time: 2:00 p.m.
Courtroom: 9, 19th Floor

The Honorable Jon S. Tigar

1 I, KENNETH A. GALLO, hereby declare as follows:

2 1. I am a partner with the law firm of Paul, Weiss, Rifkind, Wharton &
3 Garrison LLP, counsel for Plaintiffs Sharp Electronics Corporation (“SEC”) and Sharp
4 Electronics Manufacturing Company of America, Inc. (“SEMA”) (together, “Sharp”). I am a
5 member in good standing of the bar of the District of Columbia and of the State of New York. I
6 was admitted to practice law in the District of Columbia on June 23, 1983, and admitted to
7 practice law in the State of New York on May 23, 2007, and on March 20, 2013 was granted
8 leave to appear *pro hac vice* in the above-captioned cases. I have personal knowledge of the
9 facts stated herein and could competently testify to these facts if called upon to do so. I submit
10 this Declaration in support of SEC and SEMA’s concurrently filed Response to the Thomson and
11 TDA Defendants’ Motion to Continue and Set Trial Dates.

12 2. Attached as Exhibit A is a true and correct copy of excerpts from the
13 transcript of proceedings held on April 19, 2016, in *In re Cathode Ray Tubes (CRT) Antitrust*
14 *Litigation*, MDL 1917, No. 07-cv-5944 (JST) (N.D. Cal.), ECF No. 4610.

15 3. Attached as Exhibit B is a true and correct copy of excerpts from the Rule
16 30(b)(6) deposition transcript of Thomson SA and Thomson Consumer Electronics, Inc. through
17 Meggan Ehret, dated January 8, 2015 (filed under seal).

18 4. Attached as Exhibit C is a true and correct copy of the document entitled
19 *Meggan Ehret, Thomson SA’s Corporate Designee, Notes Regarding Certain Thomson SA*
20 *30(b)(6) Deposition Topics*, dated January 8-9, 2015, stamped deposition exhibit 8104 (filed
21 under seal).

22 5. Attached as Exhibit D is a true and correct copy of the document entitled
23 *Meggan Ehret, Thomson Consumer Electronics, Inc.’s Corporate Designee, Notes Regarding*
24 *Certain Thomson Consumer 30(b)(6) Deposition Topics*, dated January 8-9, 2015, stamped
25 deposition exhibit 8105 (filed under seal).

26 6. On the morning of April 19, 2016, Kathy Osborn, outside counsel for
27 Thomson SA, n/k/a Technicolor SA and Thomson Consumer Electronics, Inc., n/k/a Technicolor
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1 USA, Inc. (together “Thomson”), informed me for the first time of the medical diagnosis
2 received by Meggan Ehret, corporate representative and in-house counsel for Thomson. Ms.
3 Osborn told me of her intention to seek a continuance of the Sharp trial until November 7, 2016.

4 7. I was unable to confer with my clients regarding this development prior to
5 the trial-setting conference at 2:00 p.m. the same day.

6 8. During a brief recess at the trial-setting conference lasting from
7 approximately 3:03 p.m. until 3:20 p.m., I conferred with Brad Brian, counsel for LG
8 Electronics, Inc. (“LG”), William Blechman, counsel for Sears, Roebuck and Co. and Kmart
9 Corporation (“Sears/Kmart”), Ms. Osborn, and other counsel for the parties.

10 9. I informed counsel that I would recommend to my clients that they agree
11 to move the Sharp trial date to November 7, 2016, as Ms. Osborn had requested. Counsel for LG
12 told me that he had consulted with his client, and LG would prefer to switch the order of trials,
13 such that the LG trial would proceed first against Sears/Kmart on November 7, 2016, and the
14 Sharp trial would proceed second on January 9, 2017. Thereafter, the Court returned to the
15 bench conducted additional proceedings. After the hearing ended, I repeated to counsel that I
16 would recommend that my clients agree to a continuance of the Sharp trial date to November 7,
17 2016, but that I would not recommend my clients agree to changing the trial order such that the
18 Sears/Kmart trial against LG would proceed first on November 7, 2016, or that the Sharp trial be
19 continued until January 2017.

20 10. I declare under penalty of perjury that the foregoing is true and correct.
21 Executed this 29th day of April, 2016, at Washington, DC.

22 /s/ Kenneth A. Gallo

23 Kenneth A. Gallo
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